hereby surherized to allow the stores taken from the steamer Sosquebaum to be deposited in the United Sares warehouse at

Sasquebana to be conveniently accommod do the same
Quantities. If it can conveniently accommod do the same
Very respectfully your nowbeller servant.

Secretary of the Treasury.

Accustrs Schell, Collector of Customs, New York.

Adjourned.

THE TURF.

FIRES.

FIRE IN THIRTY SIGH STREET.

Between 12 and 1 o clock yesterday morning, a fire occurred in the dwelling house corner of Thirty-sixth street and Fourth avenue, owned and occupied by Wm. Weston. The flames were speedily extinguished, and the damage rustained will not exceed \$150. Origin of fire unknown.

THE AMERICAN DIVERS AT SEVASTOPOL .- Letters have been received in this city, dated Savastopol, May 24, by which we learn that the work of raising the entken Russian fleet progresses rapidly and with re-merkable success. We make the following extract

merkable success. We make the following extract from the letters:

"We have raised whole the 16 gun vessel of war Smelys, and brought her down to the Admiralty, slung between the caiseons, last night. She had over 300 tuns of mud in her hold and on her decks, beside all her rigging, from tables, pig from ballest, &c. She lay up the South Bay, and as the raise, wash the steep banks that compose the sides of the bay, the soil being quite alluvial, it constantly keeps the water in a riled state, depositing the sestiment on the decks and in the hatches; this, however, is not the case in the man harbor, and we only tried this vessel to test the machinery before going to work at raising the heavier vessels. The caiseons operated as well as we expected and at no fine did we use ever one-fifth of their power. This, of cause, demonstrates the carire feasibility of reising any and every ship in the barbor of Savastopol. We shall, undoubtedly, raise the whole fleet this Summer. Next week we shall raise a steamer whole, and shall follow with raising all that are worth the labor, whole, and blast with submarine charges the balance. [Boston Transcript, July 7.

THE ILLINOIS WHEAT CHOP .- The Alton Courier of July 7 has the following item upon the wheat crap:

"Within a circuit of about a hundred miles, over
the greater portion of which we have recently traveled, we have netired but two fields of rusted or shriveled wheat. All corcur in saying that there is far less
injury to the crop this year than in former years, in
proportion to the whole amount raised. Allegather,
the present crop will exceed that of any former year
fully forty per cent in quantity, and the quality is generally excellent." of July 7 has the following item upon the wheat crop:

The Prairie Farmer of the same date, says the crop this year will not be over two-thirds as large as last year, and thinks all the talk of large crops is for the berefit of wheat buyers.

We think, without favor to any one, that the present crop is large and quality good.

FROM St. DOMINGO .- By the arrival of the British brig John Butler, Capt. Parr, we have received advices from Port-au Platte to the 1st inst. Baez capitulated the City of St. Domingo on the 12th of June. Everything was peaceable and quiet. Business was very dull. Six cargoes of provisions had arrived in 25 days, but being unable to find buyers, had left for a

The Little Rock (Aik.) Democrat announces the death on the 234 ult. of Col. Chas. F. M. Noland, who had been in feeble health for many years. The Demo-

"There are few names with which the people of Arkanase ere more familiar, or that is more widely associated with pleasant recollections, than that of Col. Noland. He has been a chizzen of the State more than twenty years—has occupied places of trust and honor, and always with faithfumess and efficiency. His humor, his observed in the fine of the first his his honorable manninesse, his love of truth, his fidelity to friends, the rectifude of his department, and generous sympathies, endeared him to all who knew him. A host of devoted friends will sincerely regret his decease, and cherish the fondwill sincerely regret his decease, and cherish the fond-tat remembrances of him. He leaves a wife and one sen to mearn it cir irreparable loss."

The Part Elizabeth Mercury records the capture of

The Post Elizabeth Mercury Receives two fishes of a rare species:

"About three weeks ago the manager of the Watering Company's tank boat, Mr. Thoroughgood, observing that two immense fish had got over a rand-bar into challow water, inshed into the sea with a knife, without waiting for assistance, and managed after a more struggle to kill them both. Upon examination and singular they proved to be a bull and cow of a most singular fish. Having cut the heads off to preserve them for the novelty of their appearance, the caresses were seld to Mr. John Stock for £9, who succeeded getting about fifty-one gallons of on. Unfortunately none thought of securing any other part of the bodies. The back bone and fies were taus permitted to be washed away to sea by the returning tide. The head had all the appearance of having an elengated shout of unlike the beak of a cormorant attached to a fish should be a first the time of the thought of the first was twenty from the tight and the other eighteen feet. The dorsal fin was about it feet from the head, with two small files at a corresponding distance underneath. The corsal fire at a corresponding distance underneith. The tail was placed in rizontally, and measured fully three feet from fan to lan. The stoutest part of the body was about into feet in circumference. For the take of science we consider it a great misfortune that no scientific pers in was called in to examine it."

A PRINTER AND HIS WIFE ON A TRAMP.—An old man named William Wright, a printer, passed through the city a few days since in company with his wife, an cid lacy, bound for Chicago, having walked the whole classifier from Buffalo to Detroit. He is 63, and his wife 59. They have a son in Chicago, who sent them morey with which to come to that city. Immediately after the receipt of the money, one of the aged couple was taken sick, and the money was nearly all expendence for desiration in the first a recovery cashed sufficient. ed for doctor's less before a recovery ensued sufficient to enable them to make the contemplated trip. They then started on toot from Buffalo, and walked through Canada, being aided once in a great while by a wagon ride. The old lady was as brisk as a cricket and very ride. The old lady was as brisk as a cricket and very to kative. She said they only stopped over to rest one day, and then she washed all day to pay for their lodging. Some folks would not call that rest. The old man said that he commenced his apprenticable in 1809, and saw the first composition r. Her used in England. As they were unequal to the task of walking to Chicago, which they interded to do, a liberal contribution was made by the printers of the city, and a sum denated o them which sent them on their way rejoicing, by silroad.

[Detroit Free Press, July 2.]

The GOLD AND SILVER QUESTION.—We copy the

On Saturday Judge Major decided, in the case of Whitzey, President of Indiana Bank, against T. H. Sharpe, that when demand is made of a bank for the reach piton of its bills, the amount presented must be considered a single demand, and the bank cannot redeep the first of the country divisions without the consent of deem in five gollar divisions without the consent of the colder. This decision will spoil the massenver of banks, by which they have gained time in a "run," viz: redeeming five dellars at a time, and in silver, teus making the redemption a long process if the smount is consucrable. The case goes to the Sapreme Court.

A CASE OF ALLEGED INSANITY SETTLED - A SIGGU-A Case of Allegged Insanity Settled — A singular case has recently been decided at the Superior Court of Meckholmer County N. C., as we learn from The Charlette Democrat. The case was an issue of health, property to the amount of \$75,000 being involved. The case was that of Issac Withers vs. S. H. Elhoit and John T. Withers, guardians of Issac Willers. It appeared that at one time Withers was in one and had been to the Asylum, but was proposed cured and seet tome. He brought suit against his guardians to gain poseession and management of his property, who alleged that he (the plantiff) was gill insane. After the examination of technology and arguments, the Court decided that Mr. Withers was perfectly sale and capable of managing his own affairs.

SLAVERY IN MISSOURI - The Hannibal (Ma) Mes-

the result of the agitation that is beginning in this State, and which is now advocated as zealously as it was denounced tw-lve months ago, will be the emarcipation of the slaves. Agitation will keep slave-bolders out of Missouri and draw Free State men into it. This is the natural and inevitable consequence." THE DE RIVIERE SCANDAL.

MRS. BLOUNT APPEARS IN COURT

PROCEEDINGS ON THE WRIT OF HABEAS CORFUS. The proceedings in the matter of Riviere and Mrs. and Miss Blount on the writ of habous corpus, directed spainet De Riviere and Mr. Huncke, proprietor of the Napoleon Hotel, of Hoboken, and ordering them to produce the bodies of Mrs. and Miss Bloom in Court, were resumed yesterday morning before Mr. Justine

Were resumed yesternay thorning beach air, subside Ogden, at the Court-House of Hudson Co., New Jersey, at Bergen Hill.

But few percors were in attendance.

Mr. Blount was represented by J. R. Whiting of this city and Mr. Rarsom of Jensey City. Mr. Maiford appeared for Mr. Riviere, Mrs. Blount and Mr. Huncke. peared for Mr. Riviere, Mrs. Bluunt and Mr. Huncke.
Mrs. Bluunt arrived in a carriage about 10 o'clock,
and was onducted to the Judges Chambers, where
she returined during the pendence of the proceedings.
Mr. Rancom then read the following exceptions to
the return of Mr. Huncke to the writ of habeas corpus:
Freezick S. Blount the pullioner above named except to
the ration and sewer made and filed by the said John Huncke
to the wild of latese corpus served on him, as follows, viz:
1. For that the said John Huncke has no canwered and stated,
in his said answer, whether or not the said Mrs. Emily J. Blount
is detained by him from the castody of her hasband, the said pullicater, bis answer in that respect being sitegether evalve, imperfect and hunditions.
2. For that the said Jehn Huncke has not answered and stated

in his said answer whether or not the said Miss Emily J. Blount of all of by born from the costed of her tather, the said pellours, his newer in this repeat being about the creative imperent and insufficient.

A For the said John Honcke, has not, in his said answer, answered or set forth whether or not it is in his power ty produce he body of the said Mrs. Emily J. Blount before the said John her her said pellous the said was the said year the said year except the said was considered to the middle his subswer in this respect being altogether weative, imperent and information.

the his snewer in this respect being altogether evasive, imperfect and insufficient.

4. For that the said John Hurcke has not in his aid answer answered or set forth whether or not he has it in his power to produce before the said justice the body of the said Miss Emily J. Blount; his snewer in this respect he ing altogether evasive, imperfect and insufficient.

J. House, has asswer in this respect some associator evaluate, in the said John Huncke has not inswered and set for the his said answer, when the said Mrs. Emily J. Bloom and Miss Finily J. Bloom to came to his said house; how long the said Miss Finily J. Bloom to was in the house of the said John Huncke; on what terms or conditions she was these, under whose control, power or custody sile was write there, and whether or not she cold not leave his said house with his knowledge or consent, or by his directions or precurement, his said answer in all these respects being evalve, imperfect and insufficient.

6. For that the said answer and return is in the portionlars set

forciant.

For all of which puticulars the petitioner excepts to the said answer of the said John Hurcke as evasive, imperfect and insafficient, and therefore prays that an attachment be issued against the said John Huncke for contempt, in thus evading the requirements of the said with of habeas corpus.

(Signed)

F. S. BLOUNT.

ments of the said with of history corpus.

(Signed)

Mr. Mulford said that Mr. Ransom had stated, when the return was put in, they should traverse the return, and that an hour after the meeting of the Court to (Mr. R.) would give him a copy of the traverse. His had not seen Mr. R. until this morning, and insamneh as he (Mr. M.) was entirely unprepared to meet the exceptions without notice, he should ask a post-ponement of the hearing.

Mr. Ransom said they sloudd traverse the return, but they claimed that the return should be made perfect first. It was in Mr. Huncke's power to amend the return now, so that the exceptions would not apply; and if the return was not designed to be evasive, the emendation now would show the fact.

The Court said that the proceeding by habeas cor-

ply; and if the return was not designed to be evasive, the emendation row would show the fact.

The Court said that the proceeding by habeas corms was designed to have a decision as soon as possible, and delay might defeat the object. The exceptions stated that certain facts which ought to be in the return were not in, and the party might amend the return now if he desired.

Mr. Mulford did not intinate whether he should

Mr. Mulford did not intimate whether he should amend the return then or not.

Mr. Rensom them addressed the Court in support of his exceptions. He said that Huncke denied that he exercised a control over Mrs. Blount and her daughter, but he did not deny that, by harboring them in his house, he did not prevent the hunband and father, who had the right to legal control over Mrs. and Miss Blount, from seeing them. Again, though Huncke denied that Miss Blount was in his custody, care and control he did not deny that he could produce her, sa

Blount, from seeing them. Again, though Huncke denied that Miss Blount was in his custody, care and control, he did not depy that he could produce her, as she roight be in the control of some one class where he might get her, nor did he say that he had no pewer to produce Mrs. Blount. And Miss Blount being a miror, and in his house, it was to be supposed, in the absence of proof, that Huncke had control of her then, and that she hed with his knowledge and consent, and that she may have been placed in the custody of some one class who was under the control of Mr. Huncke completely. In support of the exceptions, Mr. Kansem cited the case of Lacey in 10 Johnson, 328.

Mr. Mulford in reply contended that the return was as full and explicit as could be expected under the circumstances. It appeared from the return that the party was the proprietor of a public house, and that the two persens named in the writ were guests in his house, and that one still was, and that the other left two days before the writ was issued. Mr. Huncke's devial of his power or control of Mrs. Blount was full and explicit. She being in his hotel as a boarder, he could not know anything about the fact of this gentleman being her husband, but certainly the return set forth the fact that she could come and go when she pleased. The answer could not be more full than it was relative to the custody of Miss Blount. He said that two days before the date, of this writ she left his house, and it would be going far to suppose that Mr. Huncke had under these circumstances put Miss Blount in der some person's custody over whom he had control. As regards his power to produce Mrs. Blount, it was well known that the preprietor of a hotel had not the power to produce a boarder a say time, and particularly when he had stated that she was free to go and come when she pleased. In the absence of allegation that Mr. Huncke had been a party to this transaction, it could not be required, when the deaghter had left two days before the writ had issued, that he should

daughter in Court. Insamuch 88 quired that he should produce the bedies of Mrs. and Miss Blount, by him detained, and show the cause and reason of such detention, they could not go out of that writ and require the surpluse go of a full statement of the time when the daugnter came, with whem, under whose control she came, how long she remained, &c.

Mr. Writing said that they contended the return Mr. Writing said that they contended the return was exactive, and designedly so. Throughout the return, not a word was said about Capt. De Riviere. It was a wrong idea that a married woman could become a boarder in a public house without the content of the husband, and he who received her was guilty of a wrong upon the husband and society. If she was there legally, her husband was respossible. If nor, and De Riviere was responsible, then she was there elegally. Huncke had anticipated this suit, and had spirited Miss Blount away, and now came into Court making a simple response to the suit, without Court making a simple response to the suit, without answering allegations contained in the petition. Mod-ern decisions had held that if there were no physical restraint, but there were moral restraint of the party.

he person against whom the writ was issued, was outd to produce her. Mr. Mu.ford said, as regards the assertion that no answer had been made to the allegations contained in the petition, he has had no opportunity to do so, as there had been no copy of the petition served upon

Judge Orden said that the writ of habeas corpus was circeted to de Riviere and Huncke, and that its chiect was to enable the Judge at Chambers to deter-mine whether the rights of the husband were violated mine whether the rights of the husband were violated by them or any other persons within their control, or by their control, or by their control, or the whom the writ issued should fully answer all the matters which were connected with the alleged illegal detention of the party who was to be brought before the Court, in order that this right of the persons claiming custedy of the party might be ascertained. The return to the writ must not be a technical one, whereby the party might sail so close to the wind, that he might technically save his convenience and yet thereby keep the party who was conscience, and yet thereby keep the party who was seeking relief from his object. The object of the writ was to give to persons who were improperly restrained of their personal iberty, and to those who have a right to their custody, the control of their persons, and when the party to whom it was directed did not fulfill his the party to whem it was directed did not finish industry according to the intent and command of the writ, by putting in a technical answer, it was wrong. This answer showed that Mrs. and Miss Blount were industrially that Mr. Huncke was the keeper of a public house, and that these persons were there: it snowed that these persons were destined against the will of the husband and father, and Mr. Huncke was advised of that, by the ervice of the writs, and therefore, in order to fully west the requirements of the writ and make such an ervice of the writs, and therefore, in order to Idly weet the requirements of the writ and make such an answer as would enable the Court to do justice to the parties, the party making the return was not only compelled to make a direct response to the writ, but he was also compelled to make a clean breast of all the facts connected with the case, and this return of Mr. Hincke was rather strange. He says that the daughter has been there, and yet without his knowledge, or without any knowledge that he could acquire from the mother, she had left the house, and whether at the botmother, she had left the house, and whether at the bot-tom of the Hudson River, or whether under the con trol of De Riviere, was not stated. Therefore with tom of the Flusson River, or whether income the con-trol of 1 be Riviere, was not stated. Therefore with reference to Miss Blount the exceptions were well taken, and Mr. Huncke must state in his acceptant all he knew about it, and upon his eath— when she went away, with whom she went away, and how she went away; and further, that he had a complicity with it. And with reference had no complicity with it. And with reference Mrs. Blount, it would not do for Mr. Huncks to say that she was a boarder in the house. Mr. Bound stated that she was detained there against his wishes

as a bushard. If a landlord refused to let the husban have the right which the law gave him to have an in-terview with his wife, the lardford became by that set the custodian of the lady, and was responsible from that time. It would not do for the landford to

eay to the husband that are should not see his wife, and when the writ was issaid any that she was a boarder in the bourse, and could go when and where she pleased. By so doing the intellect became a wrong-doer and was responsible for all the consequences of the refusal to allow the husband to see the wife. But he understood that Mrs. Blount was in Court, and if the part of the return referring to her could be amended by her production, it would be well, like did not choose to make such a return, he must like did not choose to make such a return, he must asting of three mules, were valued at over \$500.

Productions to work and in the multiple of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the canal boats, who have heavy upon the captains of the captains. cay to the husband that 1.2 should not see his wife, and when the writ was iss. 24 say that she was a boarder in the hone, and could go when and where she pleased. By so doing the istudient became a wrong-doer and was responsible for all the consequences of the refusal to allow the husband to see the wife. But he understood that Mrs. Boout was in Court, and if the part of the return referring to her could be smended by her production, it would be well. If he did not choose to make such a return, he must make a full return of all his complicity with the matter of both mother and dauguler.

Mr. Whiting said that it had been uttarly impossible for Mr. Blocat to account for the conduct of his wife, but for the conduct of his daughter he could account. There were circumstances of a painful consideration which had prevented Mr. Blount from doing what he long since would have done, and that was the fear that although Mrs. Blount was not deprived of all her reasoning faculties, yet a certain ballucination of mind must have existen to account for her conduct. It was desirable the effort that the Court should have a

reserving faculties, yet a certain hallocication of mind must have existed to ecount for her conduct. It was desirable therefore, that the Court should have a private interview with her to ascertain the condition of her mind, as Mr. Bloust had been satisfied from the commencement of his journey after her, and for several years past, that there had been an irroad made upon her mestal faculties, and that conduct could not be accounted for on any principles to be applied to a sound reasoning and ratiocal creation. From considerations of hisdness, De Riviere becare an innate of Mr. Blounts house, and while there he exposeed that De Riviere had operated upon the mind of the mother, and had induced her to believe that the welfare of burchild and her future station in life would be enhanced by connection with this man De Riviere, and that, notwithstanding her lieve that the westare of for third and her ristine sta-tion in life would be cubased by a connection with this man De Riviere, and that, not withstanding her knowledge that this man De Riviere had a wife by ing in New York, she yet believed that marriage to be fillegal, and could not, therefore, be a but to an aliance with this De Riviere. Sums friends of Mr. Bound had seen the lady and they had come of Mr. Bount had seen the lady and they had come to the conclusion that she was not in the possession of her right mind, and especially upon this subject. It her right mind, and especially upon this subject. It was, in fact, a species of monomains. They desired to avoid any public exposure of the lady, by her preserce in Court, if possible. If Mr. Bloom was established that she had exide up her mind in the full possession of her mental faculties to abandon his home, nothing should interfere to prevent her from going: but from his daughter be could not be thus abruptly severed, and he (Mr. W.) appecheded that there was no man who had a heart in the right place who would not lift. ard he (Mr. W.) apprehended that there was no man who had a heart in the right place who would not lift up his voice to aid this gentleman in the recovery of his daughter. The hence of the legal profession required nothing more than that the lawyer should give legal advice, and when that was given there was a noral obligation resting upon the professional man to rectore to a man in this situation his wife and chilit, and he was only supprised to find professional man to restore to a man in this situation his wife and chilt, and he was only surprised to find that there were in this Sate and in a Christian community lawyers who would stand side by side with such a man as De Diviere in preventing the proper influences being used to retore to the husband and father his wife and daughter. He (Mr. W.) had appealed to tuce gentlemen who represented De Riviere in vain to use their influence and power to secure the return of the wife and daughter to this gentleman; for himself he would say that he would not be the cause of the agony of this father for all the Zouavesia the Crimean army. Thenty-five years ago a man who would per-

agony of this father for all the Zounvesin the Crimean army. Twenty-five years ago a man who would perform an office to protect a man like this would not be permitted to stay in the State of New Jersey.

Mr. Mulford said that he had supposed that the counsel had higher duties to perform than to utter insinuations against his opponents in the profession. He (Mr. M.) would not speak for Gen. Wright, but for himself he would speak. In answer to the direct application of the gentleman, that the Court have an interview with Mrs. Bicount, he should interpose no objection. So far as Mrs. Blount's alleged monomania was concerned, he had talked with the lady, and, if she were crazy, he could rever see proofs of it. She had teld him (Mr. M.) distinctly that she could never go or old him (Mr. M.) distinctly that she could never go or live with her husbard again, and for this detarmina-tion she had given him (Mr. M) her reasons. He did not wish to be diotated to by gentlemen as to what advice he should give to his client. He was arswerable for that upon his oath as a counseler of this State; but he thought that the investigation of of this State; but he thought that the investigation of this case would show fully that they were right in the course they had pursued, and further, that no advice which he (Mr. M.) could give would affect Mrs. Blount's determination with regard to her relations to her husband. He had no objection, and indeed he would be very happy if the Court would first have a private interview with the lady. It would be astisfaction to her, and would relieve her from coexiderable embarrasement before she appeared in open Court. Judge Ogden said there was no need of Mrs. Blount appearing in Court at all. It was a proceeding in chambers, and she might be considered to be constructively present.

Mr Blount said he should regret very much to have Mr. Blount said he should regret very much to have Mrs. Blount presented before an audience.
Mr. Mulford said he would amend the return with regard to Mrs. Blount at once. As regards that part of the return which referred to Miss Blount, he should have to ask for a peatpenement, that Mr. Huncke have opportunity to learn the facts and prepare a return as full and explicit as the Court reading.

turn as full and explicit as the Court required.

Mr. Ransom said all they desired was the facts Mr.

Huncke knew of his own knowledge.

Judge Ogden decided that the return must be amended at once, that the vase go on to a close as early

as possible.

A recess of an hour was then taken during which
Judge Ogden had an interview with Mrs. Blount.

At 2 c cleck, Mr. Mulford put in the following addi-

Junge Ogden Lad an interview with Airs. Bound.
Al 2 o'clock, Mr. Mulford put in the following additional return:

Hidsen County, s.—Libn Huncke, for further return to the said wit, under oath saith: That he has the body of the said Mis. Emily J. Blount now in Court and ready to be produced before said Justice, and that he dees not detain her from her said hisband; and further, that he cannot tell the precise day of the much winn the said Mrs. Emily J. Blount and size fearly J. Blount and size fearly J. Blount and size fearly J. Blount cannot the hotel, but thinks that it was about the second day of the present remain; me with whom the said persons same as deponent was not home at the time; that the said Miss Emily J. Blount, as deponent who has been suited that the said mether accountable to depotent for the beard of her mether solely, and not of any other person, and that he holds her said mether accountable to depotent for the beard of her said daughter for the term she was at deponent's house; and that she left deponent's house without his knowledge, direction or producement, and that he does not know with whom she left, where she intended accing, or where she may now be found; that he does not detail her from the custody of her father, and that its not in his power to produce her as he is commanded by said writ; and that he never has detained them, or either of them, but on the contany they have been at liberty to so whenever they as y proper. And this deponent fauther saith that Heard de Riviere has been slaying at said houst, but whether he caroes with said ladies or not deponent cannot say; that said petitioner, Frederick S. Blunt, stayed at deponent cannot say; that he has now gone away, but where the said De Riviere west, or where he can now be found, deponent cannot say; that said petitioner, Frederick S. Blunt, stayed at deponent cannot say; that he has now gone away.

Affixed to the return was the asual jurat.

Mr. Whiting said that, upon the facts as alleged in

Mr. Whiting said that, upon the facts as alleged in Mr. Whiting said that, upon the facts as alleged in the return, they should prepare a traverse to be served upon Mr. Mulford this morning. Issue being joined, the case will be heard upon proofs on Thursday next. During the recess, Mr. Ransom, as coursel for Col. Blourt, gave notice to Mr. Hurche that Col. Blourt would not only not be responsible for Mrs Blount's expenses at the Napoleon Hotel, but that he should hold Mr. Hurche responsible in damages if he harboard her.

bored ter.

This brought up the question before the Court as to This prought up the question before the Court as to the custody of Mis. Blount pending the proceedings, interviews were had between Mrs. Blount, Mr. Mul-ford and Judge Ogder. Col. Blount asked for an or-der to bave Mrs. Blount go to New York. This Jadge Ogden refused, and the matter was at last decided by the Judge ordering that she remain at the Napoleon Both for the present.

Hotel for the present.

At 1 o'clock yesterday an attachment was issued out of the Circuit Court of Hudson County, New-Jersey, to Mesers. Nanoom and Brown, attorneys, against the goods and chattels of Henri De Riviere, at the suit of Mr. Polite Collins of Mobile, Alabama. Hotel for the present. to recover an indebtedness of \$100. Deputy Sheriff Francis proceeded to the Napoleon House, and when his business was announced and his authority shown, he was conducted to rooms Nos. 11 and 13, which were occupied by De Kiviere. They then attached the following personal preperty: Two trunks and con-tents, an elegant saddle and bridle, one hat-bux, a sword, and a large photographic likeness of De Ki-

MARINE AFFAIRS.

STEAMING RAPPAHANNOCK DESTROYED BY FIRE -FORTY-EIGHT MULES BURNED TO DEATH-NARROW

ESCAFE OF LIFE. Between 6 and 7 o'clock on Saturday afternoon, the Between 0 and 7 o clock on Saturcay atternoon, the canal boats for Fairmount, from Bordentown, and fifty-five mules on board, took fire when in the middle of the Delaware, rearly opposite Red Bank. The fire was first discovered under the deek, and an attempt was made by the crew to extinguish it, but in a few minutes the flames burst through the deek and spread so rapidly that all attempts to subdue the fire proved abor ive.

roved abortive.

The boat was headed for the shore, and in a few The boat was headed for the shore, and in a few minutes she was run on the mid, just above Leagus Island the crew and officers jumping overboard to save their lives. The pilot, Mr. Joseph Skall, remained at his post until he was prevented from reaching the lower deck, and the was compelled to jump from the hurricane deck. As the flames broke out near where the mules were standing, no attempt could be made to save them. Seven of them broke loose and jumped everboard. Two of them reached Gloucester, two Red Bank, and three got ashore near where the boat was run aground.

cester, two Red Bank, and three got ashore near where the boat was inn aground.

The hawser helding the canal boats was cut, and these were anchored in the stream, and as soon as the captain and crew of the Rappalannock recovered from their consternation they walked up the Schuyl-bill and obtained another boat, and took the canal boats again in tow. The Rappanannock was an old boat of 350 tuns burden, and about \$3,000 had been

CITY ITEMS

The French troups of comedians, lately playing at Wallack's, give a performance at Metropolitan Hall this evening for the benefit of M. Thierry, the principal artist among them.

ARRIVAL OF THE REMAINS OF LAURESS HAMILTON. The steamship Roanoke, having on board the remains of Laurers Hamilton of the 6th Company National Guards, accompanied by a guard of honor consisting of fifty gentlemen of the Virginia Regiment Volunteers, arrived at her dock about 51 o'clock on Monday morning. Shortly after 6 o'clock the remains were delivered over to the friends of the deceased, and removed by them to Tririty Church, where they will lie until 3 o clock this afternoon, when the funeral services will take piace. The deceased will be interred in the family vanit, on the son h side of Trinity Church, and in accordance with the request of his relatives there will be no military parade or display on the occasion. The Committee of Virginians, during their sejourn in this city, will be entertained at the Lafarge House as the guests of the Seventh Regiment The Virginia guard of honor will return to Richmond in the Roscoke on Wednesday afternoon.

BOARD OF ALDERMEN,-The Board of Alderman did not succeed in obtaining a quorum yesterday; the Sergeant at arms not being able to find any one of three Aldermen who were in the building. Tois insbility to get a quorum can rearcely be explained to these who do not know that owing to the absence of Aldermen Murray and Bradley from the city, the Democrats would not have had their usual working majority had there been a meeting.

We are asked to call attention to the ma'rimonial advertisement of L. L. D. Though contrary to our rule, we take pleasure is restating that we consider all matrimonial advertisements humbugs, where they are not worse. We know nothing which should take this case out of the usual category.

REAL ESTATE .- Sales of real estate at auction, July 12, 1858, by Adrian H. Mulier: One lot on south side of Fifty-first street, 175 feet east of Eleventh avenue, 25 by about 120.

THE AMERICAN HOMESTEAD LAND COMPANY.

To the Editor of The N. Y. Tribune. Sin: With respect to your article concerning the American Homestead Land Company" I have a word to say, American Inconsecut Local Company 1 have a specific solution being the party apparently responsible, as my mame appears as Secretary for said Company. I would state, in the first piece, that I am twenty years of age. About six menths ago a genternant came to me, asping that he was one of a company of men who owned 100,000 acres of land in Wiscorsin, which they wished to dispers of in the manner set firth in the circular; that their object in doing this was to turn it into ready cask; that it was a bone fide operation; and that the gentlemen whose names appear

Believing these statements to be true, making particular in

quiry as to whether Gov. Barstow and Alexander Spaulding were in any way interested in it, and being satisfied that they were. I concented to act as Secretary, thinking that I was in safe bands, and under the grardianning of honorable men.

As to the merits of the Company itself, I have nothing to say, but, as to the connection of the above-named sentlemen with it, I have this to say, viz: that I know it to be so, and am not only astonished at the statement mean to The Express, that they deny being interested in it, but am constrained to express the opinion that the paper has been misin furned.

I was very much surprised at the articles in The TRIBUNE and Express, and my singers with is that the proceedings of the "American Homestead Land Company" may be investigated in order that my connection with it may be explained; that the

in order that my connection with it may be explained; that the statements in this brief communication may be verified, and my

name freed from censure.

I have said very little, but enough for you to see in what salation I stand to the "American Homestead Land Company."

Respectfully, THOMAS J. NEARY, Secretary, New-York, July 11, 1852. Mr. Neary should have given the name of this

[Ed.

CARRYING A SLUNG SHOT .- Officer Clarke of the Ninta Precinct, while patroling his beat on Sunday pight, arrested William McMenamy at the corner of Grove and Feurth streets, having in his possession a slung shot. The prisoner was locked up for the remaic der of the night and yesterday morning conveyed before Justice Quackenbush at the Jefferson Market Police Court. Officer Clarke alleged that at the time he arrested William, he (William) was grossly intoxicated and had the slung shot corcealed on the inside of the breast of his vest—that said William is a very dangerous and disorderly person and has frequently been arrested and committed to prison for disc conduct, and also that he has made frequent threats of violer ce against his own wife, also against members of the Pelice Department, and that he is not a proper person to go at large. The officer made a direct charge sgainst the prisoner of carrying a slung shot or dangerous wespon, contrary to the provisions of section 2 of chapter 278 of the Laws of 1849, said section in its provisions prohib ting the possession of or carrying of such weapon or instrument and rendering the

Prison for a term of not less than one year or more than five years. The accused is Irish, over 35 years of age, and a cartman. The magistrate committed the accused in

default of \$1,000 bail for trial.

person so carrying it liable to indictment for a felony,

and on conviction thereof to imprisonment in the State

A STRANGER TAKEN IN -A middle-aged man camed Charles Marks, haiting from Port Richmond, S. I , yesterday afternoon took it into his head to visit that noted locality, the Five Points. In the course of his perambulations he fell in with Frances Coleman, an hish girl of bad repute, who persuaded him to accompany her to her apartments, in the basement of premises No. 118 Centre etreet. What inducements were held out by the artful girl for Mr. Marks to enter the vile den did not appear, but the unsuspecting Staten Islander had been with her but a few moments when, to his surprise, he discovered that he had been re lieved of \$85 in gold and silver coin. As the girl Coleman was the culy person in the room, Marks charged her with stealing the money, and called upon Officer Bennett of the Lower Police Court to arrest her. The girl was taken to the Tombs and locked up for trist. Mr. Marks also made a complaint spainst Frederick Karzon, keeper of a groggery where the larceny was perpetrated, charging bim with keeping a disorderly house, the resort of thieves, prostitutes, and other vile and improper characters. Justice Connolly held Kereen to answer at the Court of Sessions, and also held Mr. Marks in the sum of \$500 to appear as a witness and prosecute the charge.

AN ALLEGED MURDERER ARRESTED .- Officer Plater of the First Precinct, on Sunday night, arrested Peter McGinness, an Irishman. 22 years of age, charged with the murder of William Sohl, an aged German. The accused was firmerly employed as a longehoreman at the foot of Robinson street, and on the 2d inst. got in a quarrel with Soh', and finally drew a knife and stabbed bim in several places. Sohl was conveyed to the Hospital, where he died on the 7th inst. The Coroner's Jury returned a verdict of death from violence at the hands of the prisoner. McGinness fled immediately af er the commission of the crime, and was not found until Sunday night.

REARRESTED .- It will be remembered that on the afternoon of 18th of June, George Levy and George Renk, German laborers, got into an altercation on the corner of Cliff and Beckman streets, in consequence, as is alleged, of Levy working below the regular tariff of wages. From words they came to blows, and Reuk, es charged, drew a knife and stabbed his opponent in the shoulder and groin, inflicting dangerous injuries. Renk was promptly arrested at the time, but in a day

or two thereaser was admitted to bail, it being be-Heved that Lavy's injuries were not mortal. Yest'arformation that Lavy was still confined in the Hospital, and in an extremely critical condition, the attending physician believing the charges to be against his recovery. On this information the Captain caused Renk to be rearrested, and he was locked up to await the

to be rearrested, and he was noticed up to await the result of Levy's injuries.

FATAL POWDER EXPLOSION - Jobs Henry, one of the men injured on the 5th inst. by the explosion of a can of powder on the 5th early died on Menday at the New York Haspital. It is stated that some unlichies one boy, but a train of pawder in the can, near which decreased and some olders were simplify, and then find it thus beening three or four men. Coroner Gamble, for want of witnesses, was obliged to deler the impost until to-day.

DEATH FROM THE HEAT OF THE WEATHER —Coroser Comery beld an inquest on Monday at No. 25 Oak street, pop on the body of an Itials woman, 35 years of age, who died from the combined effects of rum and the not weather of Sunday. Vertee

DROWNED WHILE BATHING.—About St o'clock on Mendsy morning. John McConnell, an Irish laborer, punged into the dock foot of Garservoort street to end and was blimself and being unable to swim, was drowned before and outside to modered. His remains were subsequently repovered and taken to his istered-ine, No. 202 West Sixteenth street where Cononer Hills held an inchest. The Jury rendered a verifict of socidental drowing. McConnell was Si years of age. He has left a family.

ROBRING HIS ROM MATE.—Detective Officer Houston westerday marrier a greated a young fellow named Charles

ton vesters a min ROOM-MATE.— Detective Officer House ton vesters marring arrested a young follow named Charles Harman charged with stealing money and other property to the value of \$55 from the promise s. No. 507 florons street. The property belonged to Peter Hardman, and was taken from his room by Charles, the two rooming together at the house of the father of the former. Justice Quackenbush locked Charles up in default of \$500 ball. Ronning HIS EMPLOYER -James Veal, a Canadian

youth, it years of san was apprehended on Sunday right on the charge of scaling a gold water and chain, valued at \$100 from the employer, James Harkin of Na. 100 Church street. The property being missed, Harkin questioned Vasl about the thirt, to which he propelly confessed and produced the scales articles. He has secreted them in a store righ hole in the wall. The accused was taken before Justice Councily and locked up for trial.

PURDY'S NATIONAL THEATER .- A great combi ration of a mactions will be found at this favorite. Theater to-night, and a selection of pieces that will please all. The house is well venticated by patent wind calls.

[Advertisement.]

LAKE HOUSE,
Caldwell, Lake George, New-York,
Major W. Fixth. Propriete.
Late of the U. S. Hotel, Salatega, and the New-York Hotel.

SINGER'S NEW FAMILY SEWING MACHINE.-No other Sewing Machine for family use ever equaled this either as respects beauty of the machine, or the perfection and variety of its work. Call and examine it. I. M. SKOGER & Co. No. 452 Broadway, New-York.

THE RETIRED PHYSICIAN'S REMEDY. -

THE RETHERD PHYSICIAN'S REMEDY.—
Doctor H. JAMES'S

EXTRACT OF CANNAIS INDICA,
For the cure of Consumption, Liver Compaint, Broughtis,
Asthma, Coughs, Colds, and Nervous Debitity. An East Indian
Preparation, and the only cure ever discovered for discases of
the Lumas, Stomach, and Nervous. Price \$2 per bottle. Sent
everwhere by Express.
CAUTION.—"No. 19 Grandest., Jersey City, N. J., and No. 14
Cacillet. Strand, London," is blown in the glass of the genuine.
Address
Dr. H. James's Remedies, No. 19 Grandest., Jersey City, N. J.
N. B.—The recipe will be sent free to these who desire it.

THE METALLIC TABLET STROP—Invented by GEO. SAUNDERS, A. D. 1816.—This, the genuine article, has never been equaled for producing the keenest possible edge to a razor. Can be obtained of the subscribers and sole manufacturers, J. & S. BAUNDERS, store No. 7 Astor House.

NEW-JERSEY ITEMS.

THE RIOT ON SUNDAY AT HOBOKEN,-Late on Sunday night a party of Germans proceeded to the house of Acting-Mayor Wilson and disturbed the quiet of the neighborhood by a mock serenade. The crowd was dispersed by officers, and no further demonstration was made save a few hoo's and yells expressive of disapprobation of the course he had pursued during the day.

Vesterday Deputy theriff Francis levied upon the stages which had been seized by the Mayor the day previous, and held them on an execution for debt, issued some time since. The Mayor and Alderman Reid were held in \$200 bonds by Justice Hemenover, to await trial on the charge of disturbing the pub-He peace on Sunday. The officers and the other Aldermen of Hoboken were discharged from custody.

NEW CHURCH -A new Church was instituted on Singley efference in Metropolitan Hall, Jersey City. It is of the Independent Espirit order, and is entitled "Bothesda." The sermon was preached by the Rev. Mr. Jones of New York. The right hand of followship was given to the Rev. Mr. Raymond by the Rev. Mr. Parmly.

ALLEGED FUGITIVE - Officer Fisher, on Saturday afterneon, arrested Thomas Auderson, on warrant from Merits County, charging him with being a furifive from paties in that county. He was remanded by Recorder Bedford to Morris

THE MOUNT VERNON ASSOCIATION.—The ladies connected with the Mount Verton Association have suificited the services of George C. Thorburn of Newart to take charge of the arroards a Mount Vernon. It is intended to riske a large faud—4500,000 if possible—the interest of which will be appropriated #200,000 if possible—the interest of which will be approximated toward beautifying the place from time to time, the cultivaries and beautiful trees, flowers (seeds and cuttings of which be distributed through the country) aging out the grounds most tasteful manner, and, in a word, making it the Gar America. Among other improvements contemplated at restors for of an old church on the premises, built by Wa tou, which has long most to score, and the building of a

According to the Collector's annual report, the number of actes of land assessed in Bergen County is 133 523; the value of real and personal earle is put at \$10,223 123; number of polls, 4,67; county tax, \$200; poer tax, \$3,000. The amount of taxes for schools and roads is not given in all the townships. The largest township is Heinekon, having 24,170 acres. Harkensack, however, has nearly twice the number of polls, and more than twice the amount of property, the latter being valued at \$1,27,203.

About two hundred persons are arriving at Cape May Island daily, and there are now shout one thousand visitors in all at the Island. Gov. Nowell is expected to pay a visit to the island some time about the 26th of this month.

On Saturday morning last, during the thunder-storm, the bark of Mr. Joseph Horner, at West Fresheld, was struck by Bahtning. A valuable horse in the barn was instantly killed.

bridge of the New-Jersey Railroad Company, at the foot of Ma ket street, is now suspended, but will be resumed as soon as the ligation concerning the bridge is decided. It is now before the United States Supreme Court. For some weeks workmen have been expended in strengthening and improving the cid Contra-street bridge. Man Dog.—A dog supposed to be rabid was killed

In Washington afreet, Hotoken, on Saturday afternoon, havin batten achild in the thumb. Medical attendance was called to the child and proper remedies applied, so that it is thought no se-ricus results will follow.

The Bergen County Journal says that 170 market wagens, centaining over 221,000 beaters of strawberries passed over the Bersen Turnjike on Monday last in eight hours. In the same time 283 strawberry wagens couned the Hobitan Ferry. The Journal claims that more strawberries are raised for market in that county than in any other county. It has been estimated that sevent-tenths of the strawberries sold in New York city are from Bergen.

The new light-house at Barnegat, on the ses-coast, Is now short if feet high, with a substantial stone faundation, feet above high water, and is expected to be completed by Jan yl. The cutside wall is 5 feet thick at the hose, gradually faing off to the summit where it connects with the inner wall. The whole will be built in a substantial nomner which the limits the appropriation—\$46,000. The light will cost \$4,000, and when it is not because flashing light, to flash every few seconds, and when 165 feet high.

[New Brunswicker.

be 165 feet high. [New-Brunswicker.]

The introduction of a melodeon in the Front street M. E. Church, Trenton, has caused the withdrawal of some two lee persons who aliege themselves conscientionally opposed to having instrumental unade in the church. A very large majority, however, of the church make no opposition.

FATAL ACCIDENT.—A young man named Patrick Contilow, while errored Friday in the Trenton from Works, was struck on the head with one of the suspended hocks by which the iron is held as it is placed in the rolls. It struck him with so much force as to fracture his shull, and cause his death on Satur-

A fire on Friday night at Saddle River, Bergen County, destroyed the dwelling-house of John Dox with \$400 in bank-bils. Loss \$1 100. A nelabor, white at the fire felt from a frace and was priced up deaf having broken his neck.

FATAL FALL - An elderly widow named Mary San-FATAL FAIL — An electly widow rained Mary Staters, and about 10 years, boarding at No. 115 Commerce street, rose from her bed at about 4 o'clock Friday morning, and either fell or jumped from a window in the third story, striking up in the payment, breaking her samil, and inflicting other injuries from pitch she died aimost instantly. Sin was discovered by a policemany ripugous the sidewalk, with a large pool of bicod around her. Coroner Baidwin was notified and proceeded to the spot, and after examiliting into the chroumstances gave a certificate. It is supposed that the act was committed during a temporary fit of inexative. The window from which she threw herself needlong was open and near the floor.

PERTH AMBOY AND WOODBRIDGE RAILEOAD,—This

PERTH AMBOY AND WOODBRIDGE RAILROAD.—This read, which will connect Perth Amboy and Woodbridge with the New-Jersey Railroad at Rahway, has been surveyed and laid out, and the gracing was commerced on Thursday, the 1st inst. The ground is favorshie and the road very direct. The distance is about half a mile southwest of the station at Kahway.

FATAL ACCIDENT.—As the sun-rise saints was being fired at Perth Ambey or Monday morning, a boy 14 years old, son of Mr. Snate, who was engaged with his father in raising the flag, accidentally not in range of the camon, and was struck by the wad in the neck, which corride away the side of his face and replered him insensible, in which condition he lay till 5 q'clock in the affermoop, when he died.

The Hightstown Record says corn is growing at a rate that rught actually to astocial the natives. Green come will con be ready for the tabir, if present prospects are not blasted

LAW INTELLIGENCE

CASE OF MICHAEL CANCEMI.

CANCERS SENTENCED TO BE HUNG ON THE 2D OF SEPTEMBER NEXT-MOTION FOR A NEW TRIAL DENIED.

The People agt Michael Canan

The Court room was crowded as usual to-day. Judge Davice stated that the Circuit Judge had amended the poster so as to show that Michael Can-cemi wes present during the whole of the trial and at the rendition of the verdict. He had sent up a caref. cate in relation to the withdrawal of the jurer. The

following is a copy:

I certify and state to the Supreme Court that after
the Jury had been impanualed and swora, and the trial of the prisoner commenced, viz: on the 12th of Jure, 1858, the annexed stipulation, consent and agreement of the prisoner, his contact and the coursel in behalf of the prople, was presented to the Court, and the jure: (Freeerick Muller) withdrawn by the express request and consent of the prisoner, and under and in pursuance of such stipulation. Ws. B. Whiont. July 12, 1888.

Mr. Ashmend said that as the reasons for arrest of incignment had been overruled, he would ask the Court to insert that the defendant objected to the smeatheast of the postes by which the following: "The said Michael Carceni naving been present in court during the whole of said trial and at the rendition of

during the whole of said trial and at the remainer the verdict," was inserted.

Mr. Blat kman said he had now fulfilled his duty to this Court. He had no other wish than that the whole truth should be presented to it. He had no objections, and would now leave the matter and his cheet in the hands of the Court. When the motion was originally made it was not with the intention of raising the clops, but only with the hope that the truth of the court is the court of the court. objections, but only with the hope that the truth should appear. Now that the Circuit Judge had cer-tified to the fact be was centent, and would leave the case entirely to them.

The Attorney-General and Mr. Ashmead then with-

drew observations previously made by them, and in which ceneure was applied.

Cancerni was arraigned, and the Clerk addressed

Cancemi was arraigued, and the Clerk addressed him as follows:

Michael Cancemi: You may remember that you have heretofore been indicted for a certain follows and murder by you done and committed. Upon that indictment you pleaded "Not Guilty," and you put yourself on your country for trial, which country iound you guilty. What have you to say why judgment of death should not be pronounced against you according to law!

Carcemi replied, through the interpreter: "I am is nocent of the offense charged against me, and as a reason why sentence should not be pronounced, I assign that I was tried by a tribunal unknown to the common law and the Countitution, namely, by eleven jurors and not twelve. I deem this proper to be told as a reason why judgment should be streeted."

Judge Davies said: "It was your right to be tried by a jury of twelve men; but it appears by the cellificate of the Circuit Judge, before whom your trisl was had, that the ofthe jurors was withdrawn at your esquest the trial proceeded with the remaining jurors. We think, therefore, under these circumstances, and as the application to the Court was made at your request end for your benefit, that it is our duty to proceed and pronounce judgment, and which will now be pronounced by the Juage who presided at your trial."

Judge Wright then delivered the sentence is the following words:

"Michael Cancemi, your trial was a protracted one."

Judge Wright then delivered the sentence is the following words:

"Michael Cencemi, your trial was a protracted one. I endeavored that you abould have a fair trial and an impartial one; and every indulgence that the rales of law and the ends of public justice would admit of were extended to you. You were aided in your defense by zealous and able counsel; yet an intelligent and conscientious Jury have found you guilty of the crime of murder. No enlightened and conscientious person can read the evidence adduced on your trial without being satisfied that that conveition was just. If any reliance is to be placed upon human evidence, your guilt is manifest. Detected in the commission of a burglary, you deliberately killed a public officer, who was discharging his duty in effecting your arrest. You have not the poor excuse that the victim of your malice had in any way injured you. To avoid arrest for a lesser crime, you committed a greater one. All that remains for the Court new is to pronounce indgment. You ought not to indulge in any hope of Executive clemency. You cannot reasonably expect pardon or commutation of purishment. But let me earnestly implore you to amploy the brief pariod which you have left in making preparation to meet that God whom you have segitivenestly effected. Approach him in humble penitance of heart, and, for the sake of his blessed Son, he will pardon and forgive, though men may not.

"The sentence of the Court is, that on Thursday, the 2d day of September next, between the hours of 10 s. m. and 4 p. m. of that day, within the walls of the prison of the county, or in the yard annexed to such prison, you be hung by the neck until you are dead, and may God have mercy on your soul."

The restence of the Court is, that on Thursday, the 2d day of September next, between the hours of 10 s. m. and 4 p. m. of that day, within the walls of the prison of the county, or in the yard annexed to such prison, you be hung by the neck until you are dead, and may God have mercy on your soul."

The prisoner wi lowing words:
"Michael Cencemi, your trial was a protracted one."

deceived. I did not believe that a Republican Government could use vengeance with money as it is usually done under a Monarchial Government, and I leave my life in the hands of this Court. And you other Judges who have tried me on the basis of the false testimony, you will feel in your hearts my last words that you have condemned me intogent. I die innecent and I cannot see again my second family since I lid from the bands of a tyrant, and go to embrave another which was my ruin. Since America will not be any more the mother of the unhappy one, since during the irlinence of protection and morey such accidents happen. I thank my lawyers with all my heart for the assistance which they have offered. If they have been deceived because they thought here in America justice is executed as by law, they found the injustice. The same is in tyraots. I die deploring the injustice. The same is in tyrants. I die deplaring from all my heart the duties which I leave behind me, which I have to perform for my unfortunate wife, wh is here, a stranger surrounded by enemies."

is here, a stranger surrounded by enemies."

Mr. Blankman then read the bill of exceptions, and moved for a new trial. The motion was argued at length by the prisoner's counsel, citing, in support of their notion the 3d section of the act of 1855, which provides that every prisoner convicted of a capital offerse shall have a new trial, as a matter of right, if the Court deem the weight of the evidence to be against the guit of the presence or the conviction unjust. The counsel for the presecution maintained that the set of 1858 altered the act of 1855 so as to coaffact the right exclusively to prisoners convicted in the Court of General Sessions.

The Count after consultation, concurred in this

Court of General Sessions.

The Court, after consultation, concurred in this view, and accordingly denied the motion.

Subsequently Mr. Blackman raised the point that he understood the certificate of Jurge Wright was to be considered as a part of the record.

The Court decided that it could not be regarded as a part of the record, but it should accompany it, and they (coursel for the accused) could take an exception to the ruling and make it one of their reasons for an ext of jurgement.

Mr. Ashmead objected to the word "they," as he had nothing to do with that part of the case.

The record was then handed to the Judges and the Court adjourced.

The recerd was then handed to the Judges and the Court adjourced.

The following are Mr. Blankman's points in support of his motion for a new trial:

1 Viner's Ab. p. 663. The Clerk of Assize may bring on his notes by which he made postes, and amend it by them, for it is his fail to make the recurs as.

12 Viner's Ab. p. 176. A record ought to be made in Assize of every June swern and of every wit awarded, and of every outlineance and other thing from day to day, though the Assize does not take effect the first day; and otherwise it is error, by the opinion of all the Justices.

The defendant was indicted at the Assizes for forging the stamps, and appeared these upon his recognizance to answer the said indictances, and pleaded not guilty, and upon his trial he was convicted, but upon a motion in arrest of judgment it was set aside. Afterward he exhibited a bill in Chancery against the processor of the indictment, who pleaded this concision of forgery in her to the said bill, and now the plaintiff it Chandery are in the Court of B. R. that the record might be made up with the arrest of the judgment; for by a mistake of the Civer of Assize that was not recorded, nor did there any notes thereof appear in his books, but only that he was bound over by programmence to appear at the Assizes, and that he did accordingly expansing the court by the records of the Assizes has did accordingly appear and saved his recognizance; all which malter was evident to the Court of Record to be made up with the arrest of indument because a precedent of his nature might be of dangerone componence, &c.

Courts of Record have power, at any time, as well after as dering the term at which any entry is made, of their own motion to have one, to contract the mistakes and supply the omissions of their clerks or recorded of the harders in the record, in the nature might be of dangerone to the truth of the case, and are the exclusive judges of the necessity and propriety of of the sufficiency of the proofs on which to any one, to contract the m

Parol evidence of what transpired at the trial is admissible, for the purpose of explaining the record. (Carmony vs. Hoober, 5 Barr, 3-3.)
The Court sure in refusing to let the witness state the records

SUPERME COURT-Graneau Tram-July 12 - Sefera Judges WRIGHT, DAVIES, INGRAHAM and SUTHERLAND,